

COMMON COUNCIL

Official Proceedings of the 2011-2012 Common Council of the City of Sheboygan.

NINETH REGULAR MEETING

The Council met: Monday, August 1, 2011.

Mayor Bob Ryan in the Chair:

On call of the roll, the following Alderpersons were present:

Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 15.

Absent and Excused: None.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the reading of the minutes of the Eighth Regular Meeting held July 18, 2011, were approved as entered on the record, all Alderpersons present voting "Aye".

MAYOR'S APPOINTMENTS

August 1, 2011

HONORABLE MEMBERS OF THE COMMON COUNCIL

I hereby submit the following appointments for your consideration:

Joel Hammen, to be appointed to the Law and Licensing Committee and the Group Health & Wellness Committee to fill the unexpired term of Mark Hanna, whose term expires 4/16/12.

Kevin Matichek, to be appointed to the Industrial Development Commission to fill the unexpired term of Mark Hanna, whose term expires 4/16/12.

Jodi VanderWeele to move from Vice-Chairman to Chairman of the Law & Licensing Committee and Julie Kath to Vice-Chairman.

Jodi VanderWeele, to be appointed to the Strategic Fiscal Planning Committee to fill the unexpired term of Mark Hanna, whose term expires 4/16/12.

ROBERT RYAN, MAYOR

A motion by Alderperson Rindfleisch and second by Alderperson Dekker to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the foregoing appointments were confirmed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 15.

Nays: None.

PUBLIC FORUM

Dave Coltan, 717 Detroit St., Sheboygan Falls; JoAnn Schribner, 3 Seneca Trail; Tom Bowers, 2120 N. 36th St. and Steve Sommerfeldt, 1627 N. 5th St. spoke at the Public Forum. On motion by Rindfleisch and second by Alderperson Dekker was passed to allow an extra minute to JoAnn Schribner, all Alderpersons voting "Aye."

SWEARING IN OF ALDERPERSON ELECT DISTRICT #7

The City Clerk swore in Joel Hammen as Alderperson for District #7.

MAYOR'S ANNOUNCEMENTS

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the following documents notated with an asterick (*) were accepted and placed on file, accepted and adopted, or passed on call of the roll:

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

REPORTS OF OFFICERS

***R. O. No. 113-11-12. By THE BOARD OF WATER COMMISSIONERS. August 1, 2011.**

We, hereby, submit the Board of Water Commissioners' Report on the Water Utility for the second quarter of 2011.

***R. O. No. 114-11-12. By CITY CLERK. August 1, 2011.**

Submitting various license applications.

COMMERCIAL OPERATORS LICENSE (December 31, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2851	Lighthouse Lawn Care	1127 N. 12 th St.

TEMPORARY CLASS "B" LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2633	Sheboygan Blue Line Assoc.	1202 Wildwood Dr.

TEMPORARY BEVERAGE OPERATOR'S APPLICATION

<u>No.</u>	<u>Name</u>	<u>Address</u>
9231	Grandlic, Jack E.	431 Juniper Dr.
9254	Orr, Zachary C.	1533 Illinois Ave.

R. O. No. 115-11-12. By the CITY PLAN COMMISSION. August 1, 2011.

Your Commission to whom was referred R. O. No. 107-11-12 relative to submitting a communication from the Wisconsin Naval Ship Association requesting an extension on the first right of refusal so that they may complete the final status of closing on the Alliant property; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, July 26, 2011, and after due consideration, recommends approval of the request for an extension provided the property is closed by August 12, 2011.

On motion by Alderperson Sampson and second by Alderperson Heidemann, the Report of Officer was accepted and placed on file on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. O. No. 116-11-12. By DEVELOPMENT MANAGER. August 1, 2011.

According to the consultant, CH2MHill hired by the U.S. EPA, to prepare a feasibility and design plans for the Legacy Act project of the Sheboygan River Cleanup, sediment remedial projects with tight schedules in which it is important to get the work done in one construction season, it is not uncommon to schedule two 12-hour shifts per day, i.e., work 24 hours/day, 6 days a week, with Sundays as scheduled maintenance days. As part of this process, bright lights for night work are required. Section 66-72(7) Article III of the Municipal Code entitled "Noise", provides exceptions for the other specific construction work by or behalf of the city, county or state.

I hereby request an exception be granted to accomplish the dredging work as provided in Section 66-72(7) Article III of the Municipal Code entitled "Noise".

On motion by Alderperson Sampson and second by Alderperson Rindfleisch, the Report of Officer was accepted and adopted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. O. No. 117-11-12. By REDEVELOPMENT AUTHORITY. August 1, 2011.

The Redevelopment Authority, on behalf of the City of Sheboygan, wishes to thank Don Cvetan Jr. of D & M Plumbing and Heating Co., Inc., for donating the installation of a water supply extension for use of groups sponsoring events held in the South Pier District.

On motion by Alderperson Hammond and second by Alderperson Versey, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

R. O. No. 118-11-12. By CITY CLERK. August 1, 2011.

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Was referred to the Committee on Law and Licensing.

R. O. No. 119-11-12. By CITY CLERK. August 1, 2011.

August 1, 2011

Submitting a communication from Menhard Sonnemann questioning whether City representatives are going to nursing homes and asking that they use the Fire Department for non-emergency transports.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 120-11-12. By CITY CLERK. August 1, 2011.

Submitting a communication from Rene Cordova requesting a waiver of the Sex Offender Residency restrictions in order to live at 1716 S. 13th St.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 121-11-12. By CITY CLERK. August 1, 2011.

Submitting a communication from the State of Wisconsin Department of Correction filing an appeal to the Sex Offender Residency restrictions on behalf of Marcelo DeLaCruz to be placed at a Transitional Living Placement (TLP) at either 1123/1125 N. 14th St. or 930A Michigan Ave. depending on availability.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 122-11-12. By CITY CLERK. August 1, 2011.

Submitting a communication from Lester Green requesting an appeal to the Sex Offender's residency restrictions in order to reside at 2550 Calumet Dr.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 123-11-12. By CITY CLERK. August 1, 2011.

Submitting a communication from Donald Gore M.D. requesting that the City paint white crosswalk lines at the north side of the junction of Clement and 3rd St. due to safety issues for people living in the area.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 124-11-12. By CITY CLERK. August 1, 2011.

Submitting an application from Christopher Jolitz requesting a waiver of the Sex Offender Residency restrictions in order to move to 2715 N. 8th St.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 125-11-12. By CITY CLERK. August 1, 2011.

Submitting a communication from the State of Wisconsin Department of Corrections requesting a waiver to the Sex Offender Residency Restrictions on behalf of Neng Moua to be placed at a Transitional Living Placement (TLP) residence located at 1123/1125 N. 14th St. or 931A Michigan Ave. based on availability.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 126-11-12. By DIRECTOR OF PUBLIC WORKS. August 1, 2011.

Submitting herewith is the resume of bids for the 2011 Bituminous Resurfacing Program II, Bid No. 2353-11.

Was referred to the Committee on Public Works.

R. O. No. 127-11-12. By CITY CLERK. August 1, 2011.

Submitting a claim from Jessica J. Miller for alleged damages to her vehicle when yellow paint got spattered on her vehicle when the City was repainting the yellow lines.

Was referred to the Special Committee on Risk Management.

RESOLUTIONS INTRODUCED

***Res. No. 46-11-12. By Alderpersons Kittelson and Kath. August 1, 2011.**

August 1, 2011

A RESOLUTION directing a public hearing to be held in connection with the amending of the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of Taylor Drive and north of Indiana Ave.

***Res. No. 47-11-12. By Alderpersons Kittelson and Kath. August 1, 2011.**

A RESOLUTION directing a public hearing to be held in connection with the amending of the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located south of Erie Avenue and west of N. 28th St.

Res. No. 48-11-12. By Alderpersons Bohren, Carlson, Sampson and Versey. August 1, 2011.

A RESOLUTION that the City of Sheboygan shall not allow the Mayor to drive any city-owned vehicles in response to recent events.

A motion by Alderperson Versey and second by Alderperson Bohren to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Versey and second by Alderperson Bohren, the foregoing Resolution was lost on call of the roll:

Ayes: Boeldt, Bohren, Kath, Sampson, Van Akkeren, Versey-6.

Nays: Carlson, Dekker, Hammen, Hammond, Heidemann,, Kittelson, Matichek, Rindfleisch, Roeseler, VanderWeele-10.

Res. No. 49-11-12. By Alderperson Kittelson. August 1, 2011.

A RESOLUTION authorizing the approval of a Memorandum of Understanding between the City of Sheboygan and the U.S. Department of the Interior – Bureau of Land Management related to access to “Wildwood Islands” upstream of Kiwanis Park.

Lies over under the rules.

Res. No. 50-11-12. By Alderperson Versey. August 1, 2011.

A RESOLUTION that the City of Sheboygan will NOT bill the Former Fire Battalion Chief William Wildman or his family for a transfer from Froedtert Hospital to Sharon S. Richardson Hospice.

A motion by Alderperson Versey and second by Alderperson Carlson to suspend the rules of the Common Council was passed by unanimous consent.

A motion by Alderperson Versey and second by Alderperson Bohren was made to pass the Resolution.

Before action was taken thereon, a motion by Alderperson Kittelson and second by Alderperson Bohren to refer the Resolution to the Committee on Finance was passed, all Alderpersons voting “Aye.”

Res. No. 51-11-12. By Alderperson Bohren. August 1, 2011.

A RESOLUTION authorizing entering into a contract for the 2011 Bituminous Resurfacing Program II, Bid No. 2353-11.

Was referred to the Committee on Public Works.

Res. No. 52-11-12. By Alderpersons Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Rindfleisch, Roeseler, Sampson, VanderWeele and Versey. August 1, 2011.

A RESOLUTION asking that the Mayor resign.

WHEREAS: In light of recent events, the Council believes it to be in the best interest of the City that the Mayor resign his office in order to focus on his addiction and his family and to allow the City to move forward.

NOW THEREFORE BE IT RESOLVED: That the Common Council hereby asks the Mayor to resign in the best interest of the City of Sheboygan.

BE IT FURTHER RESOLVED: In the event that the Mayor refuses to resign his office, the Council intends to take further steps regarding this serious matter.

On motion by Alderperson Bohren and second by Alderperson Versey, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 14.

Nays: Hammen, Matichek – 2.

REPORTS OF COMMITTEES

R. C. No. 103-11-12. By WHOLE. July 1, 2011.

The Council is extremely disappointed in the Mayor's actions. His actions once again brought embarrassment to the City. The Council is reviewing its options from censure to removal, if a formal complaint.

We recommend a resolution be drafted to ask that the Mayor resign in order to focus on his addiction and his family and to allow the City to move forward. If he refuses, the committee further recommends that the Council take further steps regarding this serious matter.

Please note that although this is a huge distraction, the good work of the City continues and as much as possible is business as usual.

Was accepted and adopted.

R. C. No. 104-11-12. By PUBLIC PROTECTION AND SAFETY. July 1, 2011.

Your Committee to whom was referred Com. No. 8-11-12 from Bernie Nowicki requesting that the City install a sign near North Ave. prior to reaching N. Taylor Dr. stating that no trucks proceed beyond a point as they are trying to turn around in the cul de sac and causing damage to landscaping; recommends that the document be accepted and placed on file with the caveat that Mr. Nowicki and the Department of Public Works will work together on signage.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the Report of Committee was accepted and adopted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

***R. C. No. 105 - 11 - 12. By LAW AND LICENSING. August 1, 2011.**

Your Committee to whom was referred R. O. No. 57-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2013)

No.	Name
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9097	Magee, Darrick C.
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***R. C. No. 106 - 11 - 12. By FINANCE. August 1, 2011.**

Your Committee to whom was referred R. O. No. 84-11-12 by the Finance Director/Treasurer submitting the Annual Financial Report of the City of Sheboygan for the year ended December 31, 2010, prepared by Schenck SC; recommends that the document be accepted and placed on file and to approve.

***R. C. No. 107 - 11 - 12. By PUBLIC WORKS. August 1, 2011.**

Your Committee to whom was referred R. O. No. 110-11-12 by the City Clerk submitting a communication from Elizabeth Schultz requesting a waiver to the "No Dogs Allowed" in Fountain Park on August 20th and 21st during EarthFest for two presentations; recommends that the Report of Officer be accepted and placed on file and to approve the request.

R. C. No. 108 - 11 - 12. By PUBLIC WORKS. August 1, 2011.

Your Committee to whom was referred R. O. No. 32-11-12 by the City Clerk submitting a communication from the Board President of the Wisconsin Naval Ship Association, requesting that the berthing agreement for the USS Canon be modified to the north side of the river, beginning just west of the public boat launch; recommends that the document be accepted and placed on file.

On motion by Alderperson Bohren and second by Alderperson Versey, the Report of Committee was accepted and adopted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

***R. C. No. 109 - 11 - 12. By LAW AND LICENSING. August 1, 2011.**

Your Committee to whom was referred, pursuant R. O. No. 86-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

TAXICAB DRIVER LICENSE APPLICATION-NEW (June 30, 2012)

No. Name

9165 Klein, Jeffrey E.

*Beverage Operator's License application #9148 has been withdrawn.

***R. C. No. 110 - 11 - 12. By LAW AND LICENSING. August 1, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 98-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE-NEW (June 30, 2013)

No. Name

9194 Schulz, Buck N.

BEVERAGE OPERATOR'S LICENSE-RENEWAL (June 30, 2013)

No. Name

7630 Kunstman, Donna R.

5568 Lavake, Joanne H.

8403 Nack, Samantha S.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

***R. C. No. 111 - 11 - 12. By LAW AND LICENSING. August 1, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 108-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

CHANGE OF PREMISE(PERMANENT)

No. Name

2720 Rehab Bar & Grill LLC

CHANGE OF PREMISE

No. Name

2742 8th Street Ale Haus

2726 JMKAC

1337 Sheboygan Elks #299

1420 VFW Post 9156

"CLASS B" LIQUOR LICENSE (June 30, 2012)

No. Name

2849 Hops Haven

2848 RTML

CLASS "B" FERMENTED MALT BEVERAGE (June 30,2012)

No. Name

2604 Z Spot Espresso & Coffee

CIGARETTE/TOBACCO LICENSE (June 30, 2012)

No. Name

1384 Steve's Amoco

BEVERAGE OPERATOR'S LICENSE-NEW (June 30, 2013)

No. Name

9220 Boeldt, Caslin M.

9227 Borgens-Abraham, Amanda R.

9207 Castillo, Gina M.

5713 Cheney, Lisa M.

4016 Chvarak, Nancy J.

4866 D'Angelico, David J.

9213 Diven, Tiffany M.

9226 Eggen, Kayla A.

2381 Groth, Denise A.

8542 Heinen, Tanya C.
9224 Immel, Kayla J.
9215 Kalk, Jessica L.
8328 Kaneko, Yui
6911 Lee, Manasty Vang
9203 Lorge, Carley J.
8412 Mattheis, Celeste L.
7738 McWilliams, Jessica L.
9221 Richter, Bryan A.
8971 Rodriguez, Mirna
2315 Wilsing, Timothy S.

TAXICAB BUSINESS LICENSE (June 30, 2012)

No.	Name
2847	VIP Taxi LLC

TAXICAB DRIVER LICENSE APPLICATION-(RENEW) (June 30, 2012)

No.	Name
9217	Bence, Frederick E.
9210	Flietner, Billy J.
9214	Hert, Marisa L.
8673	Olaiz, Mariano

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

R. C. No. 112 - 11 - 12. By LAW AND LICENSING. August 1, 2011.

Your Committee to whom was referred, pursuant R. O. No. 86-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9156 be denied based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the committee.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Officer was accepted and adopted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 113 - 11 - 12. By LAW AND LICENSING. August 1, 2011.

Your Committee to whom was referred, pursuant R. O. No. 86-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Taxicab Drivers License Application #9157 be denied based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity and his failure to cooperate with the committee.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted on call of the roll:

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 114 - 11 - 12. By LAW AND LICENSING. August 1, 2011.

Your Committee to whom was referred, pursuant R. O. No. 86-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License Application #9157 be denied based upon his criminal record which makes him ineligible to hold the license, as well as his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the Committee.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted on call of the roll:

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 115 - 11 - 12. By LAW AND LICENSING. August 1, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 98-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that "Class A" Fermented Malt Beverage License application #2522 – TCL Photo – be denied based upon the agent's failure to accurately reveal all relevant convictions on his "Class A" Fermented Malt Beverage License application and the Committee's standards for issuing licenses.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted on call of the roll:

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 116 - 11 - 12. By LAW AND LICENSING. August 1, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 98-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9199 be denied based upon his failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted on call of the roll:

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 117 - 11 - 12. By LAW AND LICENSING. August 1, 2011.

Your Committee to whom was referred, pursuant R. O. No. 86-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Pawnbroker License Application #2832 – Patriot Pawn & Loan be denied based upon concerns regarding issues of public safety and protection and the criminal background of the agent's business partners.

A motion by Alderperson VanderWeele and second by Alderperson Kittelson was made to accept and adopt the Report of Committee.

Before action was taken thereon, a motion by Alderperson Hammond and second by Alderperson Boeldt to refer back to the Committee on Law and Licensing was passed, all Alderpersons voting "Aye."

R. C. No. 118 - 11 - 12. By FINANCE. August 1, 2011.

Your Committee to whom was referred Res. No. 39-11-12 by Alderpersons Bohren, Carlson, Heidemann, Matichek and Versey directing the City Purchasing Agent and the Finance Department to evaluate, produce and solicit an RFP, RFI or RFQ for cleaning services at all facilities managed or owned by the City; recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 119 - 11 - 12. By FINANCE. August 1, 2011.

Your Committee to whom was referred Res. No. 40-11-12 BY Alderperson Hammond modifying certain portions of Res. No. 201-09-10 originally adopted by the City of Sheboygan Common Council on March 15, 2010 (attached) implementing the use of a Fiscal Information Form (FIF) and amending the original Resolution; recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 120 - 11 - 12. By FINANCE. August 1, 2011.

Your Committee to whom was referred Res. No. 45-11-12 by Alderperson Heidemann authorizing an agreement for funding professional services for a habitat restoration project along the Sheboygan River; recommends that the Resolution be passed based on available funding.

Was accepted and adopted.

R. C. No. 121 - 11 - 12. By PUBLIC WORKS. August 1, 2011.

Your Committee to whom was referred a copy of Res. No. 45-11-12 by Alderperson Heidemann authorizing an agreement for funding professional services for a habitat restoration project along the Sheboygan River; recommends that the Resolution be passed conditioned on the City receiving the grant.

Was accepted and adopted.

R. C. No. 122 - 11 - 12. By FINANCE. August 1, 2011.

Your Committee to whom was referred Res. No. 44-11-12 by Alderperson Hammond repealing Subs. of Res. No. 51-10-11 relating to employee-required contributions to the Wisconsin Retirement System; recommends that the Resolution be passed.

Was accepted and adopted.

RESOLUTIONS ON SECOND READING

Res. No. 39 - 11 - 12. By Alderpersons Bohren, Carlson, Heidemann, Matichek and Versey. July 5, 2011.

A RESOLUTION directing the City's Purchasing Agent and the Finance Department to evaluate, produce and solicit an RFP, RFI or RFQ for cleaning services at all facilities managed or owned by the City.

WHEREAS, the City of Sheboygan needs to continually review its ongoing expenses because of its fiduciary obligation to operate efficiently for its taxpayers, and

WHEREAS, significant savings and efficiencies have been demonstrated with contracted services in the new Police Department building, the Common Council wishes to explore all available options for the delivery of similar services in the most economical manner possible as a potential option in protecting the taxpayer from future burdens.

NOW THEREFORE, BE IT RESOLVED: That the Common Council hereby directs the City of Sheboygan Purchasing Agent and Finance Department to evaluate, produce and appropriately solicit where deemed appropriate, either an RFP/RFI/RFQ for cleaning services at all City of Sheboygan buildings, including but not limited to City Hall, Public Works Building, Park Restrooms and Shelters, Fire Stations, Senior Center, or any combination of City facilities they identify as a fiscally prudent option.

BE IT FURTHER RESOLVED: That prior to solicitation of bids that the Finance Department is to supply the Finance Committee appropriate cost data for each service/option determined via the scope noted above.

BE IT FURTHER RESOLVED: That the Common Council directs that solicitations commence no later than August 31, 2011, for services commencing January 1, 2012.

On motion by Alderperson Hammond and second by Alderperson Versey, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Matichek, Rindfleisch, Sampson, Van Akkeren, VanderWee, Versey - 14.

Nays: Kittelson, Roeseler - 2.

***Res. No. 40 - 11 - 12. By Alderperson Hammond. July 5, 2011.**

A RESOLUTION modifying certain portions of Res. No. 201-09-10 originally adopted by the City of Sheboygan Common Council on March 15, 2010 (attached) implementing the use of a Fiscal Information Form (FIF) and amending the original Resolution.

WHEREAS, the Fiscal Information Form (FIF) has demonstrated itself to be a valuable tool in assisting the Common Council in making informed decisions related to the spending of public funds;

WHEREAS, it has been found that in the interest of efficiency, the form be introduced at a time different from that which is called for in the initial Resolution; and

WHEREAS, the appropriate Committee is charged with the responsibility to assure that all requested expenditures are within the current budget and that the expenditure will not cause additional expenditures in the current and future budgets.

NOW, THEREFORE BE IT RESOLVED: The Fiscal Information Form (FIF) is to be completed by the appropriate City Official and submitted to the appropriate Committee at the time said committee considers the expenditure, duly signed by the Chairperson of said committee or his/her designee and returned to the office of the City Clerk for inclusion in the next scheduled Common Council meeting agenda.

BE IT FURTHER RESOLVED: In the event a resolution is presented to the Common Council and is anticipated to be acted upon immediately without consideration of a Committee, that it is the responsibility of the person sponsoring said

August 1, 2011

Resolution to provide a completed Fiscal Information Form (FIF) at the time the document is filed with the Clerk for inclusion in the agenda.

BE IT FURTHER RESOLVED: That the Common Council shall not be expected to act upon any Resolution involving expenditure without the presence of a signed Fiscal Information Form (FIF) unless the Council agrees to waive this requirement.

Res. No. 44 - 11 - 12. By Alderperson Hammond. July 18, 2011.

A RESOLUTION repealing Subs. of Res. No. 51-10-11 relating to employee-required contributions to the Wisconsin Retirement System.

WHEREAS, Subs. of Res. No. 51-10-11 was enacted by the Common Council in July 2010 to require newly hired represented and non-represented employees and newly elected officials to contribute the full amount of their employee-required contributions under the Wisconsin Retirement System, subject to certain exceptions, in order for the City to reduce costs and maintain essential public services; and

WHEREAS, by way of 2011 Act 10, the Budget Repair Bill, and 2011 Act 32, the State's newly enacted biennial budget bill, the State of Wisconsin has made a number of significant changes to public employee compensation, collective bargaining provisions and public employee pension contributions with the same purpose in mind; and

WHEREAS, the City finds that the new State law changes are comprehensive and far reaching, such that it is no longer necessary or beneficial for the City to have similar, but not identical, employee-required pension contribution provisions in place.

NOW, THEREFORE, BE IT RESOLVED: That Subs. of Res. No. 51-10-11 dated July 19, 2010, is hereby repealed and of no further force or effect.

On motion by Alderperson Hammond and second by Alderperson Rindfleisch, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

Res. No. 45 - 11 - 12. By Alderperson Heidemann. July 18, 2011.

A RESOLUTION authorizing an agreement for funding professional services for a habitat restoration project along the Sheboygan River.

WHEREAS, the Wisconsin Department of Natural Resources has proposed a project to complete habitat restoration on the Sheboygan River from 8th St. and Taylor Drive known as "Sheboygan River Area of Concern Habitat Restoration Projects";

WHEREAS, professional services are needed to further develop the nature of the work and complete specifications for construction at an estimated cost of \$485,000;

WHEREAS, the project will be funded by the U.S. Environmental Protection Agency; and

WHEREAS, the project includes properties under the jurisdiction of the City and Sheboygan County and the City will serve as lead agency to manage the work.

BE IT FURTHER RESOLVED: That the appropriate City Officials are authorized to execute a funding agreement with the County of Sheboygan and the Wisconsin DNR, substantial as indicated in the attached draft, for technical services for the Sheboygan River Area of Concern Habitat Restoration Projects.

On motion by Alderperson Hammond and second by Alderperson Rindfleisch, the Resolution was passed, based on available funding, on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

ORDINANCES INTRODUCED

Gen. Ord. No. 18-11-12. By Alderperson Sampson. August 1, 2011.

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of Taylor Dr. and north of Indiana Ave.

Was referred to the City Plan Commission.

Gen. Ord. No. 19 - 11 - 12. By Alderperson Sampson. August 1, 2011.

August 1, 2011

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located south of Erie Avenue and west of North 28th Street.

Was referred to the City Plan Commission.

Gen. Ord. No. 20 - 11 – 12. By Alderpersons Van Akkeren, Heidemann and Dekker. August 1, 2011.

AN ORDINANCE repealing and recreating Section of the Municipal Code so as to require notice to neighbors of an appeal pursuant to Section 7-265 of the Code.

Was referred to the Committee on Public Protection and Safety.

Gen. Ord. No. 21 - 11 – 12. By Alderpersons Van Akkeren, Heidemann and Dekker. August 1, 2011.

AN ORDINANCE repealing and recreating Section 70-265 of the Municipal Code so as to require the full common council to approve an appeal to the 2,000 foot requirements of the sex offender residency restriction if such appeal has been recommended for approval by the Public Protection and Safety committee.

Was referred to the Committee on Public Protection and Safety.

MATTERS LAID OVER

R. O. No. 106-11-12. By CITY CLERK. July 18, 2011.

Submitting an application for a private well permit from Blia Yang, 1818 Eisner Ave.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

Res. No. 43-11-12. By Alderperson Hammond. July 18, 2011.

A RESOLUTION authorizing the appropriate City Officials to execute a Modified Project Agreement between the U.S. Environmental Protection Agency, the Wisconsin Department of Natural Resources, the City of Sheboygan, Sheboygan County, Pollution Risk Services, and the Wisconsin Public Service Corporation.

On motion by Alderperson Hammond and second by Alderperson Rindfleisch, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

There being no further business, on motion by Alderperson Rindfleisch and second by Alderperson Dekker, the meeting was then adjourned, all Alderpersons voting "Aye".

Mayor

City Clerk